

IN THE MATTER OF WAR CRIMES  
COMMITTED BY THE JAPANESE IN BURMA

## AFFIDAVIT

I, Lieutenant-Colonel EDWARD MELVILLE ST. JOHN COUCH, Royal Army Service Corps, with present address at HQ Allied Land Forces South East Asia, Singapore, make oath and say as follows:

1. I am a solicitor of the Supreme Court of Judicature in England and I now hold the appointment of Assistant Judge Advocate General, War Crimes Legal Section, Allied Land Forces South East Asia.

2. I personally received and perused statements by eye-witnesses of the massacre by the Japanese in July 1945 of a large number of the inhabitants of the village of K.L.GON in Burma.

Each one of these statements was sworn before an officer authorised by the Commander in Chief AFPSA to examine witnesses with regard to war crimes and was certified by an interpreter to the effect that it had been read over to the witness in a language which he understood and that he had acknowledged it to be correct.

3. I also personally received and perused statements by certain of the accused all of which were duly certified by the interrogating officer and the interpreter concerned.

4. The copy Charge Sheet and Abstract of Evidence now produced and shown to me and marked "K.L.GON A" and "K.L.GON B" respectively and hereto annexed are true copies of the Charge Sheet and Abstract of Evidence which I personally drew as a result of my perusal of the statements aforesaid.

5. The facts set forth in the said Abstract of Evidence were adduced from the statements aforesaid which were then before me and from no other source of information whatsoever and are true to the best of my knowledge information and belief.

6. The statements aforesaid were subsequently forwarded to HQ. BURM. Command for the purpose of the trial of the accused and are not available for production to me at the swearing of this my affidavit.

7. The witnesses mentioned in paragraph 2 of this my affidavit state the number of persons massacred to have been in the hundreds but do not mention an exact figure. Investigations carried out by HQ. Twelfth Army (GSI) resulted in the conclusion that 217 men 158 women and 262 children, making a total of 637 civilian inhabitants of K.L.GON village, were put to death but I am unable to produce sworn testimony as to this figure. The accused ICHIKAWA Seiji in his statement said that he received orders to "clean up" K.L.GON and that it would be alright if "I wiped out the whole village and killed all the villagers". The reason given was that K.L.GON villagers were assisting British parachutists.

8. I have been informed that the trial of the accused has recently been completed in the War Crimes Court at Rangoon and that the accused ICHIKAWA Seiji and nine other of the accused were convicted of the crimes committed against them in the Charge Sheet of which a copy is herunto annexed as aforesaid but the Proceedings of the Court have not yet been received at this HQ. ]

S.O.M by the said Edward Llewellyn St. John COUCH }  
at Singapore this 17th day } }  
of April 1946. } /s/ E. LL. St. J. Couch, Lt. Col.

Before me

/s/ (Name illegible)

War Crimes Legal Section

An officer detailed by the Commander-in-Chief AFSEA to interrogate witnesses

## "K.L.GON ."

This is the copy Charge Sheet marked "K.L.GON .," referred to in the affidavit of Lt. Col. Edward Llewellyn St. John COUCH hereunto annexed and made before me this 17th day of April 1946.

/s/ (Name illegible) Colonel

## CHARGE SHEET ]

The accused:

ICHIKAWA	Suzi	Maj. O.C.
SHIBATA	Shibuso	Captain
OKUBO	Yasu	Captain
YOSHIMURA	Izumi	Captain
NAKAMURA	Hirashi	Captain
USUI	Kiyohiro	Medical 2/Lt.
T. JIMI	Ichiro	Lieutenant
T. KAI	Suzo	Lieutenant

all of the 3rd Bn. 215 Regt. 33 Division I.J....

HIGASHI	Noburo	Captain
FUCHIKI	Ryuzo	arrant Officer
KOBAYASHI	Akira	Sergeant Major
H.G.T.	Toshiyuki	Sergeant
KONDO	Kenji	Sergeant
KONISHI	Seiichi	Corporal

all members of or attached to the Kompei Tai in or near Moulein.

all the accused being now attached to

are charged with

FIRST CHARGE: ... inst all the above-named accused.

COMMITTING ... AIR CRIME  
in that they  
at K.L.GON in the region of MOULMEIN, Burma,  
on and about 8 July 1945, in violation of the  
laws and usages of war, being in the service  
of the occupying Power, together were concerned  
in the unlawful killing of men and women and  
children civilian inhabitants of the village  
of K.L.GON of resid.

SECOND CHARGE: ... inst all the abovementioned accused.

COMMITTING A WAR CRIME

in that they

at K.L.GON in the region of MOULMEIN, Burma,  
on and about 8 July 1945, in violation of the  
laws and usages of war, being in the service  
of the occupying power, together were concerned  
in the unlawful burning, torture, wounding, and  
other maltreatment of civilian inhabitants of  
the village of K.L.GON aforesaid.

THIRD CHARGE: ... against ICHIK... Sisi.

COMMITTING A WAR CRIME

in that he

at K.L.GON in the region of MOULMEIN, Burma,  
on and after 8 July 1945, in violation of the  
laws and usages of war, being in the service  
of the occupying power, unlawfully abducted or  
caused the abduction of the wife of the Headman  
of the village of K.L.GON aforesaid and of nine  
other women civilian inhabitants of the said  
village of K.L.GON.

Feb 46.

Commanding: . . . . .  
. . . . .

To be tried by Military Court.

Feb 46.

Commanding: . . . . .  
. . . . .

In the case of:-

ICHIKAWA	Seigi	Major	)
SHAKAMA	Saburo	Captain	)
OKUBO	Yozo	Captain	)
YANAGISAWA	Izumi	Captain	) 3rd Bn. 215 Regt.
MIDARIKAWA	Hishashi	Captain	) 33 Division
USUI	Kiyochim	Medical 2/Lt.)	I.J.A.
TAJIMA	Ichiro	Lieutenant	)
TAKAI	Syozo	Lieutenant	)
HIGASHI	Noburu	Captain	)
FUGIHARA	Yozo	" O.	)
KOBAYASHI	Ukira	Sgt. Major	) Kempei Tai
NAGATA	Teshiyuki	Sgt.	)
NOMOTO	Kenji	Sgt.	)
MORIMOTO	Seiichi	Corporal	)

First and Second Charges

1. The village of KALAGON is 10 miles East of Moulmein.
2. In mid-June a party of Japanese troops under Major ICHIKAWA visited the village. The party also contained 5 Kempei Tai including Capt. (then Lieut.) HIGASHI. Villagers were interrogated by the Kempei Tai concerning alleged concealed arms near the village. The party stayed for 2 days and left without further incident.

The above is admitted by the accused ICHIKAWA in his First statement.

3. On 7 July 1945, in the early afternoon, a large party of Japanese troops and Kempei Tai, amongst whom were all the accused with the exception of HIGASHI, came to KALAGON.]

Evidence of the presence of the accused, other than HIGASHI, will be furnished by:-

- (a) The evidence of SAW MATSU who will say that FUGIHARA, KOBAYASHI, NOMOTO and MORIMOTO were Kempei Tai present, and that the operation was under the command of ICHIKAWA.
- (b) Second statement of the accused ICHIKAWA, as to all accused.
- (c) Second statement of the accused FUGIHARA as to ICHIKAWA, OKUBO, USUI, SAKAMAKI, FUGIHARA, KOBAYASHI, NOMOTO and MORIMOTO.
- (d) Statement of the accused HIGASHI as to the accused Kempei Tai.

4. The Kempei Tai were ordered by the accused HIGASHI to take part in the expedition. Evidence of this will be furnished by:-

- (a) Statement of the accused HIGASHI
- (b) Statement of the accused FUGIHARA
- (c) Statement of the accused NOMOTO
- (d) Statement of the accused KOBAYASHI

5. The villagers were rounded up and herded together in a pagoda. Several of them were interrogated by the Kempei Tai, and were beaten and otherwise maltreated in the process.]

Evidence of this will be furnished by:-

- (a) "Witness ABDUL RASHID
- (b) "Witness SHAIK AHMED
- (c) "Witness SAW MATSU (interpreter with the Kempei Tai)

- (d) Witness ABDUL JABBAR MUNSHI
- (e) Witness MOHD ULLAH
- (f) Statement by the accused NOMOTO

"KALAGON B"

This is the Abstract of Evidence marked "KALAGON B" referred to in the Affidavit of Lt. Col. Edward Llewellyn St. John COUCH hereto annexed and made before me this 17th day of April 1946.

/s/ (illegible) Colonel

6. In the evening of 8 July 1945 all the villagers in custody, men, women and children were tied together in bunches by the Japanese troops and were then bayoneted, shot, or their throats slit and their stomachs ripped open with a dah.

Their bodies were thrown into wells. Some did not die immediately and three managed to escape and survived.]

They are the witnesses:-

- (a) THARA BI
- (b) ABDUL RASHID
- (c) SHAIK AHMED

Evidence of the above will be furnished by:-

(a) THARA BI who will say:-

He saw villagers shot and ripped with a dah. He himself was bayoneted and thrown into a well, already almost full of bodies. He escaped.

(b) ABDUL RASHID who will say:-

He was bound and bayoneted. He was thrown into a well where there were many bodies. He escaped.

(c) SHAIK AHMED who will say:-

The villagers were imprisoned in a mosque. He was bayoneted but survived. He saw villagers bayoneted and thrown into a well. He heard screaming from the well.

(d) SULEMAN who will say:-

Hundreds of villagers were killed. He saw about 50 bayoneted.

(e) SUPE AM who will say:-

He saw villagers bayoneted and thrown into wells.

(f) MOHD ULLAH who will say:-

He fled and hid in the jungle when the Japs arrived. He watched the village from his hiding place. He saw villagers bayoneted and thrown into a well.

(g) SAW KAWU who will say:-

He went as interpreter with the Kempei Tai. Killing and burning was carried out by Jap soldiers under the accused ICHIKAWA.

- (h) The statements of the accused ICHIKAWA
- (i) The statement of the accused HIGASHI
- (j) The statements of the accused FUJIWARA
- (k) The statement of the accused KOBAYASEI

Third Charge. (Against the accused ICHIKAWA)

7. When the Japanese troops left KALAGON after the massacre they took away with them, by order of ICHIKAWA, a number of women, stated to be 10, amongst whom was the wife of the Headman of the village.

The fate of these women is unknown. No trace of them has been discovered.

Evidence of the above will be furnished by:-

- (a) Witness ABDUL RASHID
- (b) Witness SUPE AN
- (c) Both statements of the accused ICHIKAWA.
- (d) First statement of FUGIHARA
- (e) Statement of NOMOTO